

1 AN ACT in relation to public health.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Crematory Regulation Act is amended by
5 changing Sections 5, 10, 35, 55, and 60 and by adding
6 Sections 11, 11.5, 12, 13, 14, 19, 22, 62, 62.5, 62.10,
7 62.15, and 62.20 as follows:

8 (410 ILCS 18/5)

9 Sec. 5. Definitions. As used in this Act:

10 "Alternative container" means a receptacle, other than a
11 casket, in which human remains are transported to the
12 crematory and placed in the cremation chamber for cremation.
13 An alternative container shall be (i) composed of readily
14 combustible materials suitable for cremation, (ii) able to be
15 closed in order to provide a complete covering for the human
16 remains, (iii) resistant to leakage or spillage, (iv) rigid
17 enough for handling with ease, and (v) able to provide
18 protection for the health, safety, and personal integrity of
19 crematory personnel.

20 "Authorizing agent" means a person legally entitled to
21 order the cremation and final disposition of specific human
22 remains.

23 "Body parts" means limbs or other portions of the anatomy
24 that are removed from a person or human remains for medical
25 purposes during treatment, surgery, biopsy, autopsy, or
26 medical research; or human bodies or any portion of bodies
27 that have been donated to science for medical research
28 purposes.

29 "Burial transit permit" means a permit for disposition of
30 a dead human body as required by Illinois law.

31 "Casket" means a rigid container that is designed for the

1 encasement of human remains, is usually constructed of wood,
2 metal, or like material and ornamented and lined with fabric,
3 and may or may not be combustible.

4 "Change of ownership" means a transfer of more than 50%
5 of the stock or assets of a crematory authority.

6 "Comptroller" means the Comptroller of the State of
7 Illinois.

8 "Cremated remains" means all human remains recovered
9 after the completion of the cremation, which may possibly
10 include the residue of any foreign matter including casket
11 material, bridgework, or eyeglasses, that was cremated with
12 the human remains.

13 "Cremation" means the technical process, using heat and
14 flame, that reduces human remains to bone fragments. The
15 reduction takes place through heat and evaporation. Cremation
16 shall include the processing, and may include the
17 pulverization, of the bone fragments.

18 "Cremation chamber" means the enclosed space within which
19 the cremation takes place.

20 "Cremation interment container" means a rigid outer
21 container that, subject to a cemetery's rules and
22 regulations, is composed of concrete, steel, fiberglass, or
23 some similar material in which an urn is placed prior to
24 being interred in the ground, and which is designed to
25 withstand prolonged exposure to the elements and to support
26 the earth above the urn.

27 "Cremation room" means the room in which the cremation
28 chamber is located.

29 "Crematory" means the building or portion of a building
30 that houses the cremation room and the holding facility.

31 "Crematory authority" means the legal entity ~~or the~~
32 ~~authorized--representative--of--the--legal--entity~~ which is
33 licensed registered by the Comptroller to operate a crematory
34 and to perform cremations.

1 "Department" means the Illinois Department of Public
2 Health.

3 "Final disposition" means the burial, cremation, or other
4 disposition of a dead human body or parts of a dead human
5 body.

6 "Funeral director" means a person known by the title of
7 "funeral director", "funeral director and embalmer", or other
8 similar words or titles, licensed by the State to practice
9 funeral directing or funeral directing and embalming.

10 "Funeral establishment" means a building or separate
11 portion of a building having a specific street address and
12 location and devoted to activities relating to the shelter,
13 care, custody, and preparation of a deceased human body and
14 may contain facilities for funeral or wake services.

15 "Holding facility" means an area that (i) is designated
16 for the retention of human remains prior to cremation, (ii)
17 complies with all applicable public health law, (iii)
18 preserves the health and safety of the crematory authority
19 personnel, and (iv) is secure from access by anyone other
20 than authorized persons. A holding facility may be located
21 in a cremation room.

22 "Human remains" means the body of a deceased person,
23 including any form of body prosthesis that has been
24 permanently attached or implanted in the body.

25 "Niche" means a compartment or cubicle for the
26 memorialization and permanent placement of an urn containing
27 cremated remains.

28 "Processing" means the reduction of identifiable bone
29 fragments after the completion of the cremation process to
30 unidentifiable bone fragments by manual or mechanical means.

31 "Pulverization" means the reduction of identifiable bone
32 fragments after the completion of the cremation process to
33 granulated particles by manual or mechanical means.

34 "Scattering area" means an area which may be designated

1 by a cemetery and located on dedicated cemetery property
2 where cremated remains, which have been removed from their
3 container, can be mixed with, or placed on top of, the soil
4 or ground cover.

5 "Temporary container" means a receptacle for cremated
6 remains, usually composed of cardboard, plastic or similar
7 material, that can be closed in a manner that prevents the
8 leakage or spillage of the cremated remains or the entrance
9 of foreign material, and is a single container of sufficient
10 size to hold the cremated remains until an urn is acquired or
11 the cremated remains are scattered.

12 "Urn" means a receptacle designed to encase the cremated
13 remains.

14 (Source: P.A. 87-1187.)

15 (410 ILCS 18/10)

16 Sec. 10. Establishment of crematory and licensing
17 registration of crematory authority.

18 (a) Any person doing business in this State, or any
19 cemetery, funeral establishment, corporation, partnership,
20 joint venture, voluntary organization or any other entity,
21 may erect, maintain, and operate a crematory in this State
22 and provide the necessary appliances and facilities for the
23 cremation of human remains in accordance with this Act.

24 (b) A crematory shall be subject to all local, State,
25 and federal health and environmental protection requirements
26 and shall obtain all necessary licenses and permits from the
27 Department, the federal Department of Health and Human
28 Services, and the Illinois and federal Environmental
29 Protection Agencies, or such other appropriate local, State,
30 or federal agencies.

31 (c) A crematory may be constructed on or adjacent to any
32 cemetery, on or adjacent to any funeral establishment, or at
33 any other location consistent with local zoning regulations.

1 (d) An application for licensure registration as a
 2 crematory authority shall be in writing on forms furnished by
 3 the Comptroller. Applications shall be accompanied by a fee
 4 of \$50 and shall contain all of the following:

5 (1) The full name and address, both residence and
 6 business, of the applicant if the applicant is an
 7 individual; the full name and address of every member if
 8 the applicant is a partnership; the full name and address
 9 of every member of the board of directors if the
 10 applicant is an association; and the name and address of
 11 every officer, director, and shareholder holding more
 12 than 25% of the corporate stock if the applicant is a
 13 corporation.

14 (2) The address and location of the crematory.

15 (3) A description of the type of structure and
 16 equipment to be used in the operation of the crematory,
 17 including the operating permit number issued to the
 18 cremation device by the Illinois Environmental Protection
 19 Agency.

20 (3.5) Attestation by the owner that cremation
 21 services shall be by a person trained in accordance with
 22 the requirements of Section 22 of this Act.

23 (3.10) A copy of the certification or
 24 certifications issued by the certification program to the
 25 person or persons who will operate the cremation device.

26 (4) Any further information that the Comptroller
 27 reasonably may require.

28 (e) Each crematory authority shall file an annual report
 29 with the Comptroller, accompanied with a \$25 fee, providing
 30 (i) an affidavit signed by the owner of the crematory
 31 authority that at the time of the report the cremation device
 32 was in proper operating condition, (ii) the total number of
 33 all cremations performed at the crematory during the past
 34 year, (iii) attestation by the licensee that all applicable

1 permits and certifications are valid, and (iv) either (A) any
2 changes required in the information provided under subsection
3 (d) or (B) an indication indicating that no changes have
4 occurred. The annual report shall be filed by a crematory
5 authority on or before March 15 of each calendar year, in the
6 Office of the Comptroller. If the fiscal year of a crematory
7 authority is other than on a calendar year basis, then the
8 crematory authority shall file the report required by this
9 Section within 75 days after the end of its fiscal year. The
10 Comptroller shall, for good cause shown, grant an extension
11 for the filing of the annual report upon the written request
12 of the crematory authority. An extension shall not exceed 60
13 days. If a crematory authority fails to submit an annual
14 report to the Comptroller within the time specified in this
15 Section, the Comptroller shall impose upon the crematory
16 authority a penalty of \$5 for each and every day the
17 crematory authority remains delinquent in submitting the
18 annual report. The Comptroller may abate all or part of the
19 \$5 daily penalty for good cause shown.

20 (f) All records required to be maintained under this
21 Act, including but not limited to those relating to the
22 license registration and annual report of the crematory
23 authority required to be filed under this Section, shall be
24 subject to inspection by the Comptroller upon reasonable
25 notice.

26 (g) The Comptroller may inspect crematory records at the
27 crematory authority's place of business to review the
28 licensee's compliance with this Act. The inspection must
29 include verification that:

30 (1) the crematory authority has complied with
31 record-keeping requirements of this Act;

32 (2) a crematory device operator's certification of
33 training is conspicuously displayed at the crematory;

34 (3) the cremation device has a current operating

1 permit issued by the Illinois Environmental Protection
2 Agency and the permit is conspicuously displayed in the
3 crematory;

4 (4) the crematory authority is in compliance with
5 local zoning requirements; and

6 (5) the crematory authority license issued by the
7 Comptroller is conspicuously displayed at the crematory.

8 (h) The Comptroller shall issue licenses under this Act
9 to the crematories that are registered with the Comptroller
10 as of July 1, 2003 without requiring the previously
11 registered crematories to complete license applications.

12 (Source: P.A. 92-419, eff. 1-1-02.)

13 (410 ILCS 18/11 new)

14 Sec. 11. Grounds for refusal of license or suspension or
15 revocation of license.

16 (a) In this Section, "applicant" means a person who has
17 applied for a license under this Act.

18 (b) The Comptroller may refuse to issue a license under
19 this Act, or may suspend or revoke a license issued under
20 this Act, on any of the following grounds:

21 (1) The applicant or licensee has made any
22 misrepresentation or false statement or concealed any
23 material fact in connection with a license application or
24 licensure under this Act.

25 (2) The applicant or licensee has been engaged in
26 business practices that work a fraud.

27 (3) The applicant or licensee has refused to give
28 information required under this Act to be disclosed to
29 the Comptroller.

30 (4) The applicant or licensee has conducted or is
31 about to conduct cremation business in a fraudulent
32 manner.

33 (5) As to any individual listed in the license

1 application as required under Section 10, that individual
 2 has conducted or is about to conduct any cremation
 3 business on behalf of the applicant in a fraudulent
 4 manner or has been convicted of any felony or misdemeanor
 5 an essential element of which is fraud.

6 (6) The applicant or licensee has failed to make
 7 the annual report required by this Act or to comply with
 8 a final order, decision, or finding of the Comptroller
 9 made under this Act.

10 (7) The applicant or licensee, including any
 11 member, officer, or director of the applicant or licensee
 12 if the applicant or licensee is a firm, partnership,
 13 association, or corporation and including any shareholder
 14 holding more than 25% of the corporate stock of the
 15 applicant or licensee, has violated any provision of this
 16 Act or any regulation or order made by the Comptroller
 17 under this Act.

18 (8) The Comptroller finds any fact or condition
 19 existing that, if it had existed at the time of the
 20 original application for a license under this Act, would
 21 have warranted the Comptroller in refusing the issuance
 22 of the license.

23 (410 ILCS 18/11.5 new)

24 Sec. 11.5. License revocation or suspension; surrender of
 25 license.

26 (a) Upon determining that grounds exist for the
 27 revocation or suspension of a license issued under this Act,
 28 the Comptroller, if appropriate, may revoke or suspend the
 29 license issued to the licensee.

30 (b) Upon the revocation or suspension of a license
 31 issued under this Act, the licensee must immediately
 32 surrender the license to the Comptroller. If the licensee
 33 fails to do so, the Comptroller may seize the license.

1 (410 ILCS 18/12 new)

2 Sec. 12. Surrender of license; effect on licensee's
3 liability. A licensee may surrender a license issued under
4 this Act by delivering to the Comptroller a written notice
5 stating that the licensee thereby surrenders the license, but
6 such a surrender does not affect the licensee's civil or
7 criminal liability for acts committed before the surrender.

8 (410 ILCS 18/13 new)

9 Sec. 13. License; display; transfer; duration.

10 (a) Every license issued under this Act must state the
11 number of the license, the business name and address of the
12 licensee's principal place of business, and the licensee's
13 parent company, if any. The license must be conspicuously
14 posted in the place of business operating under the license.

15 (b) No license is transferable or assignable without the
16 express written consent of the Comptroller. A transfer of
17 more than 50% of the ownership of any business licensed under
18 this Act shall be deemed to be an attempted assignment of the
19 license originally issued to the licensee for whom consent of
20 the Comptroller is required.

21 (c) Every license issued under this Act shall remain in
22 force until it has been surrendered, suspended, or revoked in
23 accordance with this Act. Upon the request of an interested
24 person or on the Comptroller's own motion, the Comptroller
25 may issue a new license to a licensee whose license has been
26 revoked under this Act if no factor or condition then exists
27 which would have warranted the Comptroller in originally
28 refusing the issuance of the license.

29 (410 ILCS 18/14 new)

30 Sec. 14. Display of cremation device permit. A crematory
31 authority must conspicuously display in its place of business
32 the operating permit issued to its cremation device by the

1 Illinois Environmental Protection Agency. All rulemaking
2 authority in connection with such operating permits shall be
3 vested with the Illinois Environmental Protection Agency.

4 (410 ILCS 18/19 new)

5 Sec. 19. Cremation only in crematory. An individual or a
6 person, cemetery, funeral establishment, corporation,
7 partnership, joint venture, voluntary organization, or other
8 entity may cremate human remains only in a crematory operated
9 by a crematory authority licensed for this purpose and only
10 under the limitations provided in this Act.

11 (410 ILCS 18/22 new)

12 Sec. 22. Performance of cremation service; training. A
13 person may not perform a cremation service in this State
14 unless he or she has completed training in performing
15 cremation services and received certification by a program
16 recognized by the Comptroller. The crematory authority must
17 conspicuously display the certification at the crematory
18 authority's place of business. Any new employee shall have a
19 reasonable time period, not to exceed one year, to attend a
20 recognized training program. In the interim, the new
21 employee may perform a cremation service if he or she has
22 received training from another person who has received
23 certification by a program recognized by the Comptroller. For
24 purposes of this Act, the Comptroller shall recognize any
25 training program that provides training in the operation of a
26 cremation device, in the maintenance of a clean facility, and
27 in the proper handling of human remains. The Comptroller
28 shall recognize any course that is conducted by a death care
29 trade association in Illinois or the United States or by a
30 manufacturer of a cremation unit that is consistent with the
31 standards provided in this Act.

1 (410 ILCS 18/35)

2 Sec. 35. Cremation procedures.

3 (a) Human remains shall not be cremated within 24 hours
4 after the time of death, as indicated on the Medical
5 Examiner's/Coroner's Certificate of Death. In any death, the
6 human remains shall not be cremated by the crematory
7 authority until a cremation permit has been received from
8 the coroner or medical examiner of the county in which the
9 death occurred and the crematory authority has received a
10 cremation authorization form, executed by an authorizing
11 agent, in accordance with the provisions of Section 15 of
12 this Act. In no instance, however, shall the lapse of time
13 between the death and the cremation be less than 24 hours,
14 unless (i) it is known the deceased has an infectious or
15 dangerous disease and that the time requirement is waived in
16 writing by the medical examiner or coroner where the death
17 occurred or (ii) because of a religious requirement.

18 (b) Except as set forth in subsection (a) of this
19 Section, a crematory authority shall have the right to
20 schedule the actual cremation to be performed at its own
21 convenience, at any time after the human remains have been
22 delivered to the crematory authority, unless the crematory
23 authority has received specific instructions to the contrary
24 on the cremation authorization form.

25 (c) No crematory authority shall cremate human remains
26 when it has actual knowledge that human remains contain a
27 pacemaker or any other material or implant that may be
28 potentially hazardous to the person performing the
29 cremation.

30 (d) No crematory authority shall refuse to accept human
31 remains for cremation because such human remains are not
32 embalmed.

33 (e) Whenever a crematory authority is unable or
34 unauthorized to cremate human remains immediately upon taking

1 custody of the remains, the crematory authority shall place
2 the human remains in a holding facility in accordance with
3 the crematory authority's rules and regulations. The
4 crematory authority must notify the authorizing agent of the
5 reasons for delay in cremation if a properly authorized
6 cremation is not performed within any time period expressly
7 contemplated in the authorization.

8 (f) A crematory authority shall not accept a casket or
9 alternative container from which there is any evidence of the
10 leakage of body fluids.

11 (g) The casket or the alternative container shall be
12 cremated with the human remains or destroyed, unless the
13 crematory authority has notified the authorizing agent to the
14 contrary on the cremation authorization form and obtained the
15 written consent of the authorizing agent.

16 (h) The simultaneous cremation of the human remains of
17 more than one person within the same cremation chamber,
18 without the prior written consent of the authorizing agent,
19 is prohibited. Nothing in this subsection, however, shall
20 prevent the simultaneous cremation within the same cremation
21 chamber of body parts delivered to the crematory authority
22 from multiple sources, or the use of cremation equipment that
23 contains more than one cremation chamber.

24 (i) No unauthorized person shall be permitted in the
25 holding facility or cremation room while any human remains
26 are being held there awaiting cremation, being cremated, or
27 being removed from the cremation chamber.

28 (j) A crematory authority shall not remove any dental
29 gold, body parts, organs, or any item of value prior to or
30 subsequent to a cremation without previously having received
31 specific written authorization from the authorizing agent and
32 written instructions for the delivery of these items to the
33 authorizing agent. Under no circumstances shall a crematory
34 authority profit from making or assisting in any removal of

1 valuables.

2 (k) Upon the completion of each cremation, and insofar
3 as is practicable, all of the recoverable residue of the
4 cremation process shall be removed from the cremation
5 chamber.

6 (l) If all of the recovered cremated remains will not
7 fit within the receptacle that has been selected, the
8 remainder of the cremated remains shall be returned to the
9 authorizing agent or the agent's designee in a separate
10 container. The crematory authority shall not return to an
11 authorizing agent or the agent's designee more or less
12 cremated remains than were removed from the cremation
13 chamber.

14 (m) A crematory authority shall not knowingly represent
15 to an authorizing agent or the agent's designee that a
16 temporary container or urn contains the cremated remains of a
17 specific decedent when it does not.

18 (n) Cremated remains shall be shipped only by a method
19 that has an internal tracing system available and that
20 provides a receipt signed by the person accepting delivery.

21 (o) A crematory authority shall maintain an
22 identification system that shall ensure that it shall be able
23 to identify the human remains in its possession throughout
24 all phases of the cremation process.

25 (Source: P.A. 87-1187.)

26 (410 ILCS 18/55)

27 Sec. 55. Penalties.

28 Violations of this Act shall be punishable as follows:

29 (1) Performing a cremation without receipt of a
30 cremation authorization form signed by an authorizing
31 agent shall be a Class 4 felony.

32 (2) Signing a cremation authorization form with the
33 actual knowledge that the form contains false or

1 incorrect information shall be a Class 4 felony.

2 (3) A Violation of any cremation procedure set
3 forth in Section 35 shall be a Class 4 felony.

4 (4) Holding oneself out to the public as a
5 crematory authority, or the operation of a building or
6 structure within this State as a crematory, without being
7 licensed registered under this Act, shall be a Class A
8 misdemeanor.

9 (4.5) Performance of a cremation service by a
10 person who has not completed a training program as
11 defined in Section 22 of this Act shall be a Class A
12 misdemeanor.

13 (4.10) Any person who intentionally violates a
14 provision of this Act or a final order of the Comptroller
15 is liable for a civil penalty not to exceed \$5,000 per
16 violation.

17 (4.15) Any person who knowingly acts without proper
18 legal authority and who willfully and knowingly destroys
19 or damages the remains of a deceased human being or who
20 desecrates human remains is guilty of a Class 3 felony.

21 (5) A violation of any other provision of this Act
22 shall be a Class B misdemeanor.

23 (Source: P.A. 87-1187.)

24 (410 ILCS 18/60)

25 Sec. 60. Failure to file annual report. Whenever a
26 crematory authority refuses or neglects to file its annual
27 report in violation of Section 10 of this Act, or fails to
28 otherwise comply with the ~~registration--or--inspection~~
29 requirements of ~~Section-10-of~~ this Act, the Comptroller may
30 commence an administrative proceeding as authorized by this
31 Act or may shall communicate the facts to the Attorney
32 General of the State of Illinois who shall thereupon
33 institute such proceedings against the crematory authority or

1 its officers as the nature of the case may require.

2 (Source: P.A. 87-1187.)

3 (410 ILCS 18/62 new)

4 Sec. 62. Investigation of unlawful practices. If the
5 Comptroller has good cause to believe that a person has
6 engaged in, is engaging in, or is about to engage in any
7 practice in violation of this Act, the Comptroller may do any
8 one or more of the following:

9 (1) Require that person to file, on terms the
10 Comptroller prescribes, a statement or report in writing,
11 under oath or otherwise, containing all information that
12 the Comptroller considers necessary to ascertain whether
13 a licensee is in compliance with this Act, or whether an
14 unlicensed person is engaging in activities for which a
15 license is required under this Act.

16 (2) Examine under oath any person in connection
17 with the books and records required to be maintained
18 under this Act.

19 (3) Examine any books and records of a licensee
20 that the Comptroller considers necessary to ascertain
21 compliance with this Act.

22 (4) Require the production of a copy of any record,
23 book, document, account, or paper that is produced in
24 accordance with this Act and retain it in the
25 Comptroller's possession until the completion of all
26 proceedings in connection with which it is produced.

27 (410 ILCS 18/62.5 new)

28 Sec. 62.5. Service of notice. Service by the Comptroller
29 of any notice requiring a person to file a statement or
30 report under this Act shall be made: (1) personally by
31 delivery of a duly executed copy of the notice to the person
32 to be served or, if that person is not a natural person, in

1 the manner provided in the Civil Practice Law when a
 2 complaint is filed; or (2) by mailing by certified mail a
 3 duly executed copy of the notice to the person to be served
 4 at his or her last known abode or principal place of business
 5 within this State.

6 (410 ILCS 18/62.10 new)

7 Sec. 62.10. Investigation of actions; hearing.

8 (a) The Comptroller shall make an investigation upon
 9 discovering facts that, if proved, would constitute grounds
 10 for refusal, suspension, or revocation of a license under
 11 this Act.

12 (b) Before refusing to issue, and before suspending or
 13 revoking, a license under this Act, the Comptroller shall
 14 hold a hearing to determine whether the applicant for a
 15 license or the licensee ("the respondent") is entitled to
 16 hold such a license. At least 10 days before the date set for
 17 the hearing, the Comptroller shall notify the respondent in
 18 writing that (i) on the designated date a hearing will be
 19 held to determine the respondent's eligibility for a license
 20 and (ii) the respondent may appear in person or by counsel.
 21 The written notice may be served on the respondent
 22 personally, or by registered or certified mail sent to the
 23 respondent's business address as shown in the respondent's
 24 latest notification to the Comptroller. The notice must
 25 include sufficient information to inform the respondent of
 26 the general nature of the reason for the Comptroller's
 27 action.

28 (c) At the hearing, both the respondent and the
 29 complainant shall be accorded ample opportunity to present in
 30 person or by counsel such statements, testimony, evidence,
 31 and argument as may be pertinent to the charge or to any
 32 defense to the charge. The Comptroller may reasonably
 33 continue the hearing from time to time. The Comptroller may

1 subpoena any person or persons in this State and take
 2 testimony orally, by deposition, or by exhibit, in the same
 3 manner and with the same fees and mileage as prescribed in
 4 judicial proceedings in civil cases. Any authorized agent of
 5 the Comptroller may administer oaths to witnesses at any
 6 hearing that the Comptroller is authorized to conduct.

7 (d) The Comptroller, at the Comptroller's expense, shall
 8 provide a certified shorthand reporter to take down the
 9 testimony and preserve a record of every proceeding at the
 10 hearing of any case involving the refusal to issue a license
 11 under this Act, the suspension or revocation of such a
 12 license, the imposition of a monetary penalty, or the
 13 referral of a case for criminal prosecution. The record of
 14 any such proceeding shall consist of the notice of hearing,
 15 the complaint, all other documents in the nature of pleadings
 16 and written motions filed in the proceeding, the transcript
 17 of testimony, and the report and orders of the Comptroller.
 18 Copies of the transcript of the record may be purchased from
 19 the certified shorthand reporter who prepared the record or
 20 from the Comptroller.

21 (410 ILCS 18/62.15 new)

22 Sec. 62.15. Court order. Upon the application of the
 23 Comptroller or of the applicant or licensee against whom
 24 proceedings under Section 62.10 are pending, any circuit
 25 court may enter an order requiring witnesses to attend and
 26 testify and requiring the production of documents, papers,
 27 files, books, and records in connection with any hearing in
 28 any proceeding under that Section. Failure to obey such a
 29 court order may result in contempt proceedings.

30 (410 ILCS 18/62.20 new)

31 Sec. 62.20. Judicial review.

32 (a) Any person affected by a final administrative

1 decision of the Comptroller under this Act may have the
2 decision reviewed judicially by the circuit court of the
3 county where the person resides or, in the case of a
4 corporation, where the corporation's registered office is
5 located. If the plaintiff in the judicial review proceeding
6 is not a resident of this State, venue shall be in Sangamon
7 County. The provisions of the Administrative Review Law and
8 any rules adopted under it govern all proceedings for the
9 judicial review of final administrative decisions of the
10 Comptroller under this Act. The term "administrative
11 decision" is defined as in the Administrative Review Law.

12 (b) The Comptroller is not required to certify the
13 record of the proceeding unless the plaintiff in the review
14 proceeding has purchased a copy of the transcript from the
15 certified shorthand reporter who prepared the record or from
16 the Comptroller. Exhibits shall be certified without cost.

17 Section 99. Effective date. This Act takes effect on
18 July 1, 2003.